IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

ZF MERITOR LLC and MERITOR TRANSMISSION CORPORATION,)
Plaintiffs,)
٧.) Civ. No. 06-623-SLR
EATON CORPORATION,)
Defendant.)

VERDICT SHEET

Dated: October 7, 2009

We, the jury, unanimously find as follows:

I. Relevant Market

1. Did plaintiffs prove, by a preponderance of the evidence, that the relevant geographic market is North America?

"Yes" is a finding for plaintiffs. "No" is a finding for defendant.

Yes / No ____

If your answer is "Yes," proceed to Question 2.

If your answer is "No," do not consider any additional questions. Please sign this verdict sheet and inform the court security officer that you have reached a verdict.

II. Plaintiffs' Section I Unreasonable Restraint of Trade Claim

2. Did plaintiffs prove, by a preponderance of the evidence, the existence of a contract(s), combination or conspiracy between defendant and others that unreasonably restrained trade?

"Yes" is a finding for plaintiffs. "No" is a finding for defendant.

Yes_ 🗸 No

If your answer is "Yes," proceed to Question 3. If your answer is "No," proceed to Question 5.

3. Did plaintiffs prove, by a preponderance of the evidence, that the competitive harms associated with the unreasonable restraint of trade outweigh any competitive benefits proven by defendant?

"Yes" is a finding for plaintiffs. "No" is a finding for defendant.

No _____

If your answer is "Yes," proceed to Question 4. If your answer is "No," proceed to Question 5.

4. Did plaintiffs prove, by a preponderance of the evidence, that defendant's unreasonable restraint of trade caused plaintiffs to suffer antitrust injuries to their business or property at any time since March 28, 2002?

"Yes" is a finding for plaintiffs. "No" is a finding for defendant.

IV. Plaintiffs' Section 2 Attempt to Monopolize Claim

8. Did plaintiffs prove, by a preponderance of the evidence, that defendant engaged in anticompetitive conduct with a specific intent to monopolize the relevant market identified in Question 1?

"Yes" is a finding for plaintiffs. "No" is a finding for defendant.

12. Did plaintiffs prove, by a preponderance of the evidence, that defendant entered into a sufficient number of de facto exclusive dealing contracts such that defendant's conduct substantially lessened competition or tended to create a monopoly in the relevant market identified in Question1?

"Yes" is a finding for plaintiffs. "No" is a finding for defendant.
Yes No
If your answer is "Yes," proceed to Question 13. If your answer is "No," do not consider any additional questions. Please sign this verdict sheet and inform the court security officer that you have reached a verdict.
13. Did plaintiffs prove, by a preponderance of the evidence, that the competitive harms associated with the de facto exclusive dealing contracts outweigh the competitive benefits proven by defendant?
"Yes" is a finding for plaintiffs. "No" is a finding for defendant.
Yes No
If your answer is "Yes," proceed to Question 14. If your answer is "No," do not consider any additional questions. Please sign the verdict sheet and inform the court security officer that you have reached a verdict.
14. Did plaintiffs prove, by a preponderance of the evidence, that defendant's defendence of the evidence
"Yes" is a finding for plaintiffs. "No" is a finding for defendant.
Yes No
Please sign this verdict sheet and inform the court security officer that you have reached a verdict.